UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

| WENDY COX and GREGORY COX. |) |
|-------------------------------------|-----------------------------|
| Plaintiffs, |) |
| ٧. | Civil Action No. 3:15-01519 |
| CAR FINDERS LLC and DARRELL DENTON, |) JURY DEMAND |
| Defendants. |) |
| | |
| | CONSENT JUDGMENT |

WHEREAS, Plaintiffs, Wendy Cox and Gregory Cox, filed their Complaint on December 28, 2015, alleging that Defendants Car Finders LLC and Darrell Denton engaged in conduct in violation of the Motor Vehicle Information and Cost Savings Act, ("Odometer Act") 49 U.S.C. § 32701 et seq., and the Tennessee Consumer Protection Act ("TCPA"), Tenn. Code Ann. § 47-18-101 et seq., and otherwise engaged in intentional misrepresentation;

WHEREAS, the parties have agreed to resolve their claims and defenses without the need for further litigation;

WHEREAS, Defendants have consented to entry of this Consent Judgment without trial or adjudication of any issue of fact or law and to waive any appeal if this Consent Judgment is entered as submitted by the parties;



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WHEREAS, Defendants acknowledge that this Court has subject matter jurisdiction over the claims in this case and personal jurisdiction over them, and agree to the entry of this Consent Judgment to fully and finally resolve the allegations and claims raised in this action;

NOW, THEREFORE, without trial or adjudication of issue of fact or law, and upon consent of the Defendants, the Court finds that there is good and sufficient cause to enter this Consent Judgment, and that it is therefore ORDERED, ADJUDGED, and DECREED:

JURISDICTION AND VENUE

- 1. This Court has jurisdiction over the subject matter of this action pursuant to 49 U.S.C. § 32710(b) and 28 U.S.C. §§ 1331, 1337 and 1367. Venue is appropriate in this District pursuant to 28 U.S.C. § 1391(b)(1) & (2).
 - 2. This Court has personal jurisdiction over all parties to this action.
 - 3. The Complaint states a claim upon which relief can be granted.

PARTIES

4. This Consent judgment is entered into by Plaintiffs Wendy Cox and Gregory Cox, and Defendants Car Finders LLC, a Tennessee limited liability company, and Darrel Denton. In addition to signing this Consent Judgment on his own behalf, Darrell Denton has authority to sign this Consent Judgment on behalf of Car Finders LLC.

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5. Each of the parties acknowledge and represent that they have consulted with their respective counsel with respect to the terms of this Consent Judgment, that they understand such terms, and that they enter it of their own volition.

NON-DISCHARGEABILITY UNDER THE BANKRUPTCY CODE

6. Defendants expressly acknowledge and agree that the facts giving rise to this action are actionable under 49 U.S.C. § 32710(a), are based on fraud within the meaning of 11 U.S.C. § 523(a)(2)(A), and additionally constitute willful and malicious injury to another entity or to the property of another within the meaning of 11 U.S.C. § 523(a)(6). Accordingly, Defendants expressly acknowledge and agree that this Consent Judgment shall be excepted from discharge in any proceeding under the Bankruptcy Code.

AMOUNT OF JUDGMENT

7. Judgment shall be entered in favor of the Plaintiffs and against the Defendants, jointly and severally, for damages pursuant to 49 U.S.C. § 32710(a) in the amount of Ten Thousand and 00/100 Dollars (\$10,000.00), plus attorney fees pursuant to 49 U.S.C. § 32710(b) in the amount of Seven Thousand Five Hundred and 00/100 (\$7,500.00), plus court costs pursuant to 49 U.S.C. § 32710(b) in the amount of Four Hundred Fifty-Six and 00/100 Dollars (\$456), in all, the total sum of Seventeen Thousand Nine Hundred Fifty-Six and 00/100 Dollars (\$17,956.00).

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Approved this ____ day of _____ , 2016.

> ALETA A. TRAUGER United States District Judge

Steven A. Taterka Attorney for Plaintiffs BPR # 015937 P.O. Box 368

Kingston Springs, TN 37082

615 952-3661 615 952-4762 (fax)

stevetaterka@earthlink.net

Wendy Cox Plaintiff

Gregory Cox Plaintiff

Robert D. Travis

Attorney for Defendants

BPR # 014680

107 S. Greenwood, Suite B

Lebanon, TN 37087

615 444-5011

615 444-5012 (fax)

roberttravisattomey@gmail.com

Darrell Denten Defendant

Car Finders LLC

Defendant